

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**UPRIGHT VACUUM CLEANER WITH CYCLONIC AIRFLOW**

the specification of which

\_\_\_\_\_ is attached hereto

  X   was filed on October 8, 1999  
Application Serial No. 09/415,363  
and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, code of Federal Regulations, § 1.56 (a).

I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/004,999</u>	<u>January 9, 1998</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
 <u>09/122,541</u>	 <u>July 24, 1998</u>	 <u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Steven M. Auvil	Reg. No. 40,492	Mark E. Bandy	Reg. No. 35,788	Brian G. Bembenick	Reg. No. 41,463
John P. Cornely	Reg. No. 41,687	Jude A. Fry	Reg. No. 38,340	Joseph D. Dreher	Reg. No. 37,123
Christopher B. Fagan	Reg. No. 22,987	Michael E. Hudzinski	Reg. No. 34,185	Steven M. Haas	Reg. No. 37,841
W. Scott Harders	Reg. No. 42,629	Sandra M. Koenig	Reg. No. 33,722	Richard M. Klein	Reg. No. 33,000
Thomas E. Kocovsky, Jr.	Reg. No. 28,383	James W. McKee	Reg. No. 26,482	Brian E. Kondas	Reg. No. 40,685
Scott A. McCollister	Reg. No. 33,961	Philip J. Moy	Reg. No. 31,280	Richard J. Minnich	Reg. No. 24,175
Jay F. Moldovanyi	Reg. No. 29,678	Patrick R. Roche	Reg. No. 29,580	Timothy E. Nauman	Reg. No. 32,283
R. Scott Speroff	Reg. No. 37,450	Mark S. Svat	Reg. No. 34,261	Albert P. Sharpe, III	Reg. No. 19,879

**SEND CORRESPONDENCE TO:**

Patrick R. Roche, Esq.  
Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, OH 44114-2518

**DIRECT TELEPHONE CALLS TO:**

(name and telephone number)

Patrick R. Roche, Esq.  
(216) 861-5582

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first joint inventor: **MICHAEL F. WRIGHT**

Inventor's Signature: Michael F. Wright  
Residence: Stow, Ohio 44224  
Country of Citizenship: U.S.A.

Date: 11/23/99  
Post Office Address: 4311 Leewood Road  
Stow, Ohio 44224

Full name of second joint inventor: **CHARLES J. THUR**

Inventor's Signature: Charles J. Thur  
Residence: Mentor, Ohio 44060  
Country of Citizenship: U.S.A.

Date: 11-23-99  
Post Office Address: 9635 Lismore Lane  
Mentor, Ohio 44060

Full name of third joint inventor: **BRETT LATIMER**

Inventor's Signature: Brett A. Latimer  
Residence: Mentor, Ohio 44060  
Country of Citizenship: U.S.A.

Date: 11-23-99  
Post Office Address: 5735 North Winds Drive  
Apartment 5  
Mentor, Ohio 44060

Full name of fourth joint inventor: **PAUL D. STEPHENS**

Inventor's Signature: Paul D. Stephens  
Residence: Cleveland Heights, Ohio 44125  
Country of Citizenship: U.S.A.

Date: 11-27-99  
Post Office Address: 1075 Penfield Road  
Cleveland Heights, Ohio 44125

Full name of fifth joint inventor: **MARK E. CIPOLLA**

Inventor's Signature: Mark E. Cipolla  
Residence: Chardon, Ohio 44024  
Country of Citizenship: U.S.A.

Date: 11-23-99  
Post Office Address: 58400 Woodhill Drive  
Chardon, Ohio 44024

Full name of sixth joint inventor: **CRAIG J. BARBECK**

Inventor's Signature: Craig J. Barbeck  
Residence: North Royalton, Ohio 44133  
Country of Citizenship: U.S.A.

Date: 11-23-99  
Post Office Address: 4655 Akins Road  
North Royalton, Ohio 44133

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UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER

OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

MARCH 07, 2000 FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

PTAS

FAY SHARPE BEALL FAGAN MINNICH & MCKEE  
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\*101220861A\*

RYL 2 0535-53-3

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/09/1999

REEL/FRAME: 010424/0874  
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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WRIGHT, MICHAEL F.

DOC DATE: 11/23/1999

ASSIGNOR:

THUR, CHARLES J.

DOC DATE: 11/23/1999

ASSIGNOR:

LATIMER, BRETT

DOC DATE: 11/23/1999

ASSIGNOR:

STEPHENS, PAUL D.

DOC DATE: 11/29/1999

ASSIGNOR:

CIPOLLA, MARK E.

DOC DATE: 11/23/1999

ASSIGNOR:

BARBECK, CRAIG J.

DOC DATE: 11/23/1999

"DOCKETED"

010424/0874 PAGE 2

ASSIGNEE:

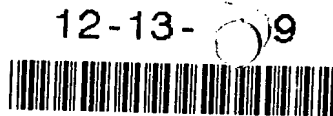
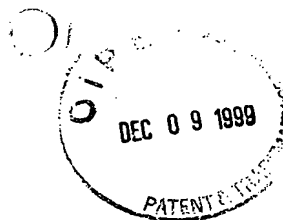
ROYAL APPLIANCE MFG. CO.  
650 ALPHA DRIVE  
CLEVELAND, OHIO 44143

SERIAL NUMBER: 09415363  
PATENT NUMBER:

FILING DATE: 10/08/1999  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

12 09 99



101220861

YL 2 0535-3-3-3

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Michael F. Wright et al.  
FOR : UPRIGHT VACUUM CLEANER WITH  
CYCLONIC AIRFLOW  
SERIAL NO. : 09/415,363  
FILED : October 8, 1999  
EXAMINER : Unknown  
ART UNIT : 1744  
NOTICE TO FILE  
MISSING PARTS : November 4, 1999  
ATTORNEY DOCKET NO. : RYL 2 0535-3-3-3

**ASSIGNMENT TRANSMITTAL LETTER**

Commissioner for Patents and Trademarks  
Washington, DC 20231  
BOX ASSIGNMENT

Dear Sir:

Please record the attached original document or copy thereof.

1. Name of Parties conveying an interest:

Michael F. Wright	Brett Latimer	Mark E. Cipolla
Charles J. Thur	Paul D. Stephens	Craig J. Barbeck

2. Name of Party receiving an interest:

Royal Appliance Mfg. Co.  
650 Alpha Drive  
Cleveland, Ohio 44143

3. Description of the interest conveyed:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Merger
Other _____	

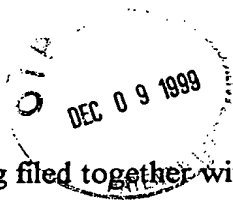
**First Class Mail Certificate**

I hereby certify that this TRANSMITTAL LETTER, ASSIGNMENT and ASSIGNMENT FEE are being deposited with the United States Postal Service by First Class Mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on December 7, 1999.

Cathryn Terchek

Date: December 7, 1999

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12/10/1999 CDETJH 02 FT:581



4. ☐ These documents are being filed together with a new application, the execution date of which is:

or

☒ These documents are being filed with application Serial No. 09/415,363, filed on October 8, 1999, the execution date of which is: November 23 and 29, 1999.

5. Name and address of Party to whom correspondence concerning this document should be mailed:

Patrick R. Roche, Esq.  
Reg. No. 29,580  
FAY, SHARPE, FAGAN  
MINNICH & McKEE, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114-2518

6. One patent application(s) is/are involved.

7. ☒ Amount of fee enclosed: \$40.00  
☐ Amount authorized to be charged to Deposit Account No. 06-0308:

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0308.

8. The assignment shows it was signed on: November 23 and 29, 1999
9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.
10. Total number of pages enclosed: 4.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

12/1/99  
Date

Patrick R. Roche  
Patrick R. Roche, Esq.  
Reg. No. 29,580  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2518  
(216) 861-5582

**ASSIGNMENT**

For good and valuable consideration, the receipt of which is hereby acknowledged, I/We, the undersigned,

**Michael F. Wright, Charles J. Thur, Brett Latimer,  
Paul D. Stephens, Mark E. Cipolla, and Craig J. Barbeck**

who has/have created a certain invention for which an application for United States Letters Patent has been

☐ executed concurrently herewith  
☒ executed on  
☒ filed on October 8, 1999

and is entitled

**UPRIGHT VACUUM CLEANER WITH CYCLONIC AIRFLOW**

Do hereby sell, assign and transfer to **ROYAL APPLIANCE MFG. CO.**, a corporation of the State of Ohio, having a place of business at 650 Alpha Drive, Cleveland, Ohio 44143, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possessions and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions agreements, acts, and treaties;

Agree that **ROYAL APPLIANCE MFG. CO.**, hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assigned, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns, or legal representatives; and

Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN TESTIMONY WHEREOF I/WE have hereunto set MY/OUR signature(s) on the date(s) indicated below.

Michael F. Wright  
Michael F. Wright

Date: 11/23/99

Charles J. Thur  
Charles J. Thur

Date: 11-23-99

Brett A. Latimer  
Brett Latimer

Date: 11-23-99

Paul D. Stephens  
Paul D. Stephens

Date: 11-29-99

Mark E. Cipolla  
Mark E. Cipolla

Date: 11-23-99

Craig J. Barbeck  
Craig J. Barbeck

Date: 11-23-99

Wane M. Jacquinot  
Witness:

Date: 11-23-99

Wane M. Jacquinot  
Witness:

Date: 11-23-99

Wane M. Jacquinot  
Witness:

Date: 11-23-99

Wane M. Jacquinot  
Witness:

Date: 11-29-99

Wane M. Jacquinot  
Witness:

Date: 11-23-99

Wane M. Jacquinot  
Witness:

Date: 11-23-99